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3738

Attorney Docket no: PHO-104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: )  
)  
Wachter et al. )  
)  
Serial No.: 09/096,832 )  
)  
Filed: June 12, 1998 )  
)  
For: Improved Methods And Apparatus )  
For Multi-Photon Photo-Activation )  
Of Therapeutic Agents )  
)  
Examiner: Thomas C. Barrett )  
)  
Art Unit: 3738 )

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Shannon Wallace  
  
Date: June 15 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby call the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the documents is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a

particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

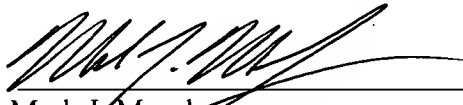
Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Each of these documents was cited in divisional application no. 09/871,099 in a Final Rejection dated May 23, 2005 which is in the last three months.

If any fee should be due for this IDS, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

Date: *June 15, 2005*

  
\_\_\_\_\_  
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Approved for use through 07/31/2006. OMB 0651-0031

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Sheet	1	of	1
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Application Number	09/096,832
Filing Date	June 12, 1998
First Named Inventor	Eric A. Wachter
Art Unit	3738
Examiner Name	Thomas C. Barrett
Attorney Docket Number	PHO-104

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>F or Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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